

USCIS Reaches H-1B Cap for FY 2015 and Conducts Lottery

April 11, 2014

On Monday, April 7th, United States Citizenship and Immigration Services (USCIS) announced it had received enough H-1B petitions to reach the cap of 65,000 for Fiscal Year (FY) 2015, as well as the 20,000 limit for those petitions filed under the U.S. advanced degree exemption.

Yesterday, April 10th, USCIS confirmed it had received approximately 172,500 petitions between April 1, 2014 and April 7, 2014 and that it conducted a computer-generated random selection process (commonly known as the lottery) of all of those petitions. This is an increase from FY 2014, when USCIS conducted a lottery for approximately 124,000 petitions received during the first five business days in April 2013.

As in the past, USCIS first conducted a lottery for those petitions filed in the advanced degree exempt category. All those not selected were then part of the general lottery for the remaining 65,000 H-1Bs. The petitions that were not selected in the lottery process will be rejected and their filing fees returned, unless there is found to be duplicate filing.

USCIS has started to issue receipts for those selected petitions filed with premium processing. USCIS previously announced that it will begin premium processing of FY 2015 H-1B petitions no later than April 28th.

Proskauer will continue to update its clients directly and through alerts as to H-1B cap developments.